Received: 01/09/2004

## 2003 DRAFTING REQUEST

Received By: pkahler

#### Bill

Wanted:	Soon		Identical to LRB:						
For: Mic	chael Huebsch	(608) 266-063	<b>31</b>		By/Representing: Anne Sappenfield				
This file	may be shown	to any legislate	or: NO		Drafter: pkahler Addl. Drafters:				
May Co	ntact:								
Subject:	Public A	Assistance - W	is works		Extra Copies:	JK			
Submit v	via email: <b>YES</b>				· <u>.</u>				
Requesto	er's email:	Rep.Huebs							
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/4	pkahler 02/26/2004	jdyer 02/27/2004	pgreensl 02/27/200	)4	lemery 02/27/2004		State
/5	pkahler 03/01/2004	jdyer 03/01/2004	jfrantze 03/01/200	)4	lemery 03/01/2004	lemery 03/01/2004	

FE Sent For: 02/27/2004, 03/01/2004.

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Received: 01/09/2004

## 2003 DRAFTING REQUEST

Received By: pkahler

#### Bill

Wanted:	Soon		Identical to LRB:					
For: Mi	chael Huebsch	(608) 266-063	1		By/Representin	g: Anne Sappen	field	
This file	may be shown	to any legislate	or: NO		Drafter: pkahle	er		
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Submit	via email: YES							
Request	Requester's email: Rep.Huebsch@legis.state.wi.us							
Carbon	Carbon copy (CC:) to: anne.sappenfield@legis.state.wi.us joseph.kreye@legis.state.wi.us							
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Wanted: Soon

### 2003 DRAFTING REQUEST

Received By: pkahler

#### Bill

Wanted: Soon					Identical to LRB:				
For: Mi	chael Huebsch	(608) 266-0631			By/Representing: Anne Sappenfield  Drafter: pkahler				
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## 2003 DRAFTING REQUEST

### Bill

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Received: 01/09/2004

## 2003 DRAFTING REQUEST

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### 2003 DRAFTING REQUEST

Bill

Received: 01/09/2004				Received By: pkahler					
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For: Michael Huebsch (608) 266-0631				By/Representing: Anne Sappenfield					
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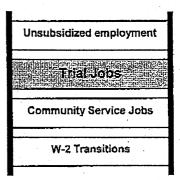
#### - DRAFT --

#### Strengthening W-2 Trial Jobs: Building on Lessons Learned

#### Trial Jobs as Originally Enacted

- Trial Jobs were created as the subsidized employment rung on the W-2 "ladder." Trial Jobs were designed for participants who are capable of working and have a work-willing attitude, but who lack the work history or skills needed to find and hold jobs in the competitive labor market.
- A Trial Job is expected to be full-time employment with a public, private non-profit, or private for-profit employer, for which the participant would receive a regular hourly wage and training opportunities similar to the employer's other workers.

The W-2 "ladder"



- Trial Jobs employers receive a subsidy from the W-2 agency of up to \$300 per month (less, on a prorated basis, if the participant works less than full time).
- Trial Jobs employers are expected to provide participants with structured work environments and offer close supervision, mentoring and coaching. Employers are also expected to make a "good faith effort" to retain the employee permanently after the subsidy ends.
- Each Trial Job may last three months, with a possible extension for an additional three months. W-2 participants may have more than one Trial Job, up to a total maximum of 24 months of participation in the Trial Jobs "tier."
- Trial Jobs participants were to be eligible for the Earned Income Tax Credit.

#### Trial Jobs: An Underused Component

Historically, the Trial Jobs tier has been a relatively underused component of the W-2 program, accounting for a very small number of W-2 paid placements each year.

Year	1997	1998	1999	2000	2001	2002	2003	TOTAL
Placements	178	373_	242	201	83	113	102	1,292

The 1,292 total represents less than 2% of the total paid W-2 placements since the beginning of W-2.

- In a recent survey, W-2 agency representatives indicated a number of possible reasons for the low number of placements, including:
  - > Inadequacy of the \$300 subsidy;
  - > Excessive paperwork and other administrative burdens on employers; and
  - > Lack of job skills, and the presence of barriers, among participants.
- These survey findings reinforced input from the recent Transitional Jobs Task Force and subsequent Employer Recruitment Advisory Committee that Trial Jobs offer inadequate incentives for employers to assume the potential (or perceived) costs, burdens and risks

#### REVISED FISCAL ESTIMATE Trial "Real Work, Real Pay" Jobs

The estimates presented below for an alternative scenario assume an "enhanced Trial Jobs" project, capped at 1,000 participants within a twelve-month placement period beginning July 1, 2004. The ratio of administrative/services costs to benefits under the 2004 – 2005 contracts (55.14%/44.86%) is actually higher than the ratio proposed in the total estimated funding for this proposal (37.5 %/62.5 %). The \$6,400,000 includes:

- > \$4 million for wages (minimum wage for 30 hours/week for six months, plus payroll taxes).
- ➤ \$2,400,000 to W-2 agencies for services and optional intermediary costs (job development, mentoring, job coaching, incentives, potential stipends in Fond du Lac, and any optional intermediary costs).

Funding is within the current 2003-05 biennium. For any participants where the six month employment period extends beyond the close of the biennium (June 30, 2005) funds would be encumbered to address any costs in the 1<sup>st</sup> months of the 2005-07 biennium.

of spenfied ass - DWD woned dat must be susper for W2 & (b) > transitional job is appropriate placent based on curtain det by DWD (a) a person that employer an elig. willing (wolf) satisfies and their (31/2) > and reperification to employer (4) (e) > 6,0000. W/3 mo. 2, terson hymle June Jan 1, 2006 2/04/2 20052 no report for vour sand finale a copy

### ASSEMBLY AMENDMENT.

## TO 2003 SENATE BILL 44

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1	At the locations indicated, amend the bill, as shown by senate substitute
2	amendment 1, as follows:
3	1. Page 508, line 11: after that line insert:
4	"SECTION 1226m. 49.1471 of the statutes is created to read: 49.1471 Transitional subsidized private sector jobs. (1) Program
5	49.1471 Transitional subsidized private sector jobs, (1) Program
6	CREATION AND FEATURES. The department shall create and implement, by January 1,
7	2004, a transitional subsidized private sector job program, that includes the following
8	features:
9	(a) The program is limited to Milwaukee County design and 47.143(  (b) An individual who is eligible for a transitional cut to More than 3 and 10.00 more
10	and the distribution of the sector in the se
11	under the program satisfies eligibility criteria specified by the department.
12	(c) An employer that provides a transitional subsidized private sector job

satisfies eligibility criteria specified by the department.

1	(d) An individual employed in a transitional subsidized private sector job
2	performs useful work for his of her employer, is paid by the employer, and may be
3	eligible for income tax credits and refunds.
4	(e) The department specifies any time limitations that apply to participation
5	in a transitional subsidized private sector job.
6	(f) An individual employed in a transitional subsidized private sector job may
<b>7</b> .	be required to search for unsubsidized employment during his or her participation.
<b>8</b> .	(g) The department may provide for education or training activities in which
9	an individual employed in a transitional subsidized private sector job may
10	participate.
11	(h) The department may include any other features that the department
12	determines will promote successful participation in unsubsidized employment by
13	individuals employed in transitional subsidized private sector jobs.
14	(2) EVALUATION AND REPORT. On or before December 31, 2008, the department
15	shall evaluate, and submit a report on, the program created under sub. (1) to the
16	legislature under s. 13.172 (2) and to the governor. The report shall include an
17	evaluation of the program's effectiveness in enabling individuals employed under the
18	program to obtain and successfully participate in jobs in the private labor morbet."

(END)

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- unsubsidized employment, as determined by the Wisconsin Works agency. If a Wisconsin Works agency determines for a participant that a placement under sub. (3) is inappropriate, or that an appropriate trial job is unavailable, and that a placement under either this subsection or sub. (4) is appropriate, the participant shall be allowed to choose between a placement under this subsection and a placement under sub. (4), to the extent of the availability of appropriate transitional subsidized private sector jobs and community service jobs. A placement under this subsection shall be given priority over placements under sub. (5).
- 2. If a participant chooses a placement under this subsection, a Wisconsin Works agency shall arrange for a transitional subsidized private sector job, if available, to be offered to the participant at a reasonably accessible location with one or more employers selected under s. 49.146 (2). Job offers under this subsection shall be limited by the number of employers selected under s. 49.146 (2) and the number and types of employment positions available with each employer, as provided in the employer's contract with the department.
- 3. An employer that employs a participant under this subsection shall be reimbursed by the department for up to 100% of the employer's costs that are attributable to employment of the participant, as determined by the department, including any of the following:
  - a. Wages.
  - b. Federal social security taxes.
  - c. State and federal unemployment contributions or taxes, if any.
  - d. Worker's compensation insurance premiums, if any.
  - e. Liability insurance premiums, if any.

under par. (f).

	f. Supervisory costs and other overhead as specified in the employer's contract
	with the department.
	(b) Jobs description. 1. To the extent possible, each transitional subsidized
4	private sector job shall be designed by the employer, in consultation with the
E	Wisconsin Works agency and the department, to meet the needs and fit the abilities
$\epsilon$	of the participant to whom the ick in Co.
7	of the participant to whom the job is offered. Each transitional subsidized private
8	job shall involve the performance of useful work. Employers offering
	private sector jobs and the department shall consult with
9	labor unions representing public sector employees on the design of transitional
10	subsidized private sector jobs to ensure compliance with s. 49.141 (5).
11	2. The department may design transitional subsidized private sector jobs that
12	do any of the following:
13	a. Allow a participant to work in supported employment, if the Wisconsin
14	Works agency determines that the participant is highly unlikely to be able to obtain
15	or retain unsubsidized employment at a minimum wage.
16	
17	b. Allow a participant to care for a severely disabled child or other relative of
	the participant, if the Wisconsin Works agency determines that such an
18	arrangement would be cost-effective for taxpayers.
19	(c) Required hours. Unless a different number of hours is recommended on a
20	case-by-case basis by the Wisconsin Works agency in accordance with guidelines
21	established by the department, each transitional subsidized private sector job shall
22	provide at least 25 hours, but not more than 30 hours, of work per week to allow a
23	participant time to continue to soonsh for
24	participant time to continue to search for unsubsidized employment, as required



## State of Misconsin 2003 - 2004 LEGISLATURE

LRB-4001/K

## PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

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AN ACT ;...; relating to: a transitional jobs demonstration project under the

Wisconsin Works program.

Analysis by the Legislative Reference Bureau

The Wisconsin Works (W-2) program under current law provides work experience and benefits for low-income custodial parents who are at least 18 years old, as well as job search assistance to noncustodial parents who are required to pay child support, to minor custodial parents, and to pregnant women who are not custodial parents. Also, an individual who is the parent of a child under the age of 13 or, if the child is disabled, under the age of 19, is eligible for a child care subsidy under the W-2 program if the individual needs child care services in order to participate in various educational or work activities. The W-2 program, which is funded with federal Temporary Assistance for Needy Families (TANF) block grant moneys, federal child care block grant moneys, and state general purpose revenue, is administered by DWI, which in turn contracts with W-2 agencies to administer the program on the local level.

The work components under W-2, called employment positions, consist of three categories: 1) trial jobs, under which an individual receives at least minimum wage from an employer and the W-2 agency pays a wage subsidy of \$300 per month to the employer; 2) community service jobs, under which an individual works in a project that serves a useful public purpose or that will generate revenue to wholly or partially offset the project's cost and receives a monthly grant of \$673 from the W-2 agency; and 3) transitional placements, under which an individual participates in work activities in a community rehabilitation program, a job similar to a community

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service job, or volunteer activities and receives a monthly grant of \$628 from the W-2 agency. Employers for all employment positions must meet criteria established by DWD by rule, and all participants in all employment positions must search for unsubsidized employment the entire time that they are participating in any W-2 employment position. Also under current law, DWD is directed to continue the creation and implementation of a subsidized work program.

This bill requires DWD to conduct, from July 1, 2004, to December 31, 2005, a demonstration project for a transitional subsidized private sector jobs program in no more than three of the geographical areas of the state that DWD has established for administration of the W-2 program by each of the W-2 agencies. The bill provides the general program features that must be included in the project, such as who is eligible to participate in a transitional subsidized private sector job, the time limitations for participation in such a job, that a participant must perform useful work and be paid by the employer, that the employers must satisfy eligibility criteria specified by DWD, the employment costs for which the employers will be reimbursed, that education and training activities may be provided for under the project, and that a participant may be required to search for unsubsidized employment while he or she is participating in a transitional subsidized private sector job.

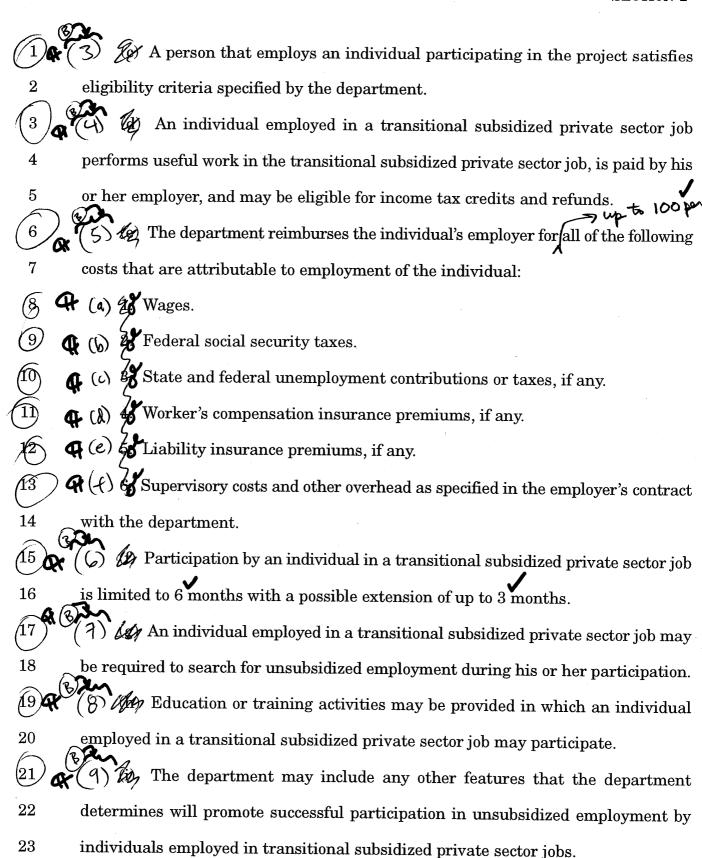
The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

**SECTION 1.** 49.1471 of the statutes is created to read:

49.1471 Transitional subsidized private sector jobs demonstration project. In the department shall design and, from July 1, 2004, to December 31, 2005, conduct a demonstration project for a transitional subsidized private sector jobs program that includes the following features:

by the department under s. 49.143 (6).

An individual who is eligible for a transitional subsidized private sector job under the project is eligible under s. 49.145 for a Wisconsin Works employment position, and the department determines that a transitional subsidized private sector job is an appropriate placement for the individual under criteria specified by the department.



SECTION 2. 227.01 (13) (zL) of the statutes is created to read:

T	227.01 (13) (zL) Relates to the transitional subsidized private sector jobs
2	demonstration project under s. 49.1471.
3	SECTION 3. 227.01 (13) (zL) of the statutes, as created by 2003 Wisconsin Act
4	(this act), is repealed.
5	SECTION 4. Effective dates. This act takes effect on the day after publication,
6	except as follows:
7	(1) The repeal of section 227.01 (13) (zL) of the statutes takes effect on January
8	1, 2006.
9	(END)

#### Kahler, Pam

From:

Jensen, Jodi

Sent:

Thursday, February 19, 2004 4:31 PM

To:

Kahler, Pam; Sappenfield, Anne

Subject:

LRB 4001/1

Pam and Anne,

Sorry it has taken us so long to get back to you with changes this draft - especially since you got the draft to us so quickly! Following are changes Rep. Huebsch would like to make. I realize we may have to talk about some of them, but I wanted to get them down on paper for you.

Thanks!

Jodi



Trial Jobs Instructions.doc

#### Kahler, Pam

From:

Sappenfield, Anne

Sent:

Friday, February 20, 2004 10:08 AM

To:

Kahler, Pam

Subject:

RE:

Leave the draft as is. There isn't anything about emergency rules in the current draft, right?

----Original Message----From:

Kahler, Pam

Sent:

Friday, February 20, 2004 10:07 AM

To:

Sappenfield, Anne

Subject:

So, does that mean to scrap the emergency rule stuff, or to give DHFS authority to do emergency rules but also exempt the project from rulemaking, as it is in the current draft?

----Original Message----

From: Sappenfield, Anne

Sent:

Friday, February 20, 2004 10:05 AM

To: Kahler, Pam

Subject:

Hi Pam--

I just talked to Jodi, and she said to leave the rule language as is. Also, the contract language appears to have been based on some vague concerns DWD raised, so I told her we can address it if DWD is concerned about it after they read the draft.

#### Anne Sappenfield

Senior Staff Attorney

WI Legislative Council Staff

1. The purpose of this demonstration project is to test some changes/improvements to existing trial jobs. Please rename the demonstration project: Trial jobs plus demonstration project. The intention is for the pilot to operate within the existing W-2 framework and trial jobs framework – all existing statutes/rules would continue to apply unless otherwise noted in this draft. For that reason, would it be appropriate to include this new subsection in sec. 49.147 Stats.?

Caste a new par. ii (3)

#### 2. Demonstration project features:

Start-up and sunset are fine.

Limit on geographical areas in sub (1) are fine.

Provide that the pilot is capped at 1,000 participants.

- Under sub (2), rename the pilot and end the sentence after "position" on line 10. Delete everything from "and" on line 10 to "department" on line 2 of page 3. Under this pilot, local W-2 agencies will continue making the decisions about placements. Do we need to specify this is the case?
- Delete sub (3). Again, local W-2 agencies will continue selecting employer sites with the following limitation: The employer must agree to make a good faith effort to retain a participant with fewer barriers to employment, as defined by the local W-2 agency, after the wage subsidy is terminated.
- Provide that a W-2 agency may contract with an intermediary that may act as any of the following: placement agency, employer of record, provider of supportive services.
- Delete sub (4). Since these are trial jobs with some additions, is this subsection necessary?
- Revise sub (5) to provide the following:
  - The W-2 agency or its intermediary shall pay a wage subsidy to an employer that employs a participant under this subjection that may not exceed the federal minimum wage for no more than 30 hours of work per week.
  - o The W-2 agency or its intermediary shall reimburse the employer for up to 100% of the following costs that are attributable to employment of the individual:
    - Federal social security taxes
    - State and federal unemployment contributions or taxes, if any

• Workers compensation insurance premiums, if any.

Time limits in sub (6) are fine.

Sub (7) Since existing statutes would apply, is this provision necessary?

Revise sub (8) to provide that education and training prescribed by the employer are not considered work for purposes of calculating the wage subsidy.

Delete sub (9)

Provide that the department may award performance bonuses to W-2 agencies participating in the pilot based on the number of participants offered permanent employment from their trial job employers.

49.143 (3g) (c)

Provide that the department must provide funding to the W-2 agencies sufficient to provide performance bonuses to participants who are offered permanent employment from their trial job employers.

3. If necessary, provide that agreements with existing W-2 providers to implement the pilot can be memorialized as an addendum to the existing contract.

4. Direct the department to submit a 13.10 request to JFC for release of funds from the

4. Direct the department to submit a 13.10 request to JFC for release of funds from the committee's federal program supplements appropriation (20.865(4)(m)) within 30 days of the effective date of this act to fund the demonstration project. In addition to providing an accounting of the proposed budget, the request should detail demonstration project goals, strategies for implementation, and an explanation of how W-2 agencies will identify the 1,000 participants.

5. Require the department to provide a report to the legislature six months, 12 months and 20 months after the effective date of the pilot which details the following:

A profile of the participants, including barriers to employment.

Success in meeting existing performance standards.

Success in meeting performance standard above.

Average cost per placement.

An explanation of where participants went after leaving the trial jobs plus pilot. (are they in unsubsidized employment, back in a CSJ, etc?)

6. Maintain provision that allows the department to write emergency rules. See a litimal instruction to leave as is

#### Kahler, Pam

From:

Jensen, Jodi

Sent: To: Friday, February 20, 2004 11:34 AM Kahler, Pam; Sappenfield, Anne

Subject:

RE: LRB 4001/1

#### A couple of additions:

The provision that allows W-2 agencies to contract with an intermediary should include a description of support services. They are coaching, mentoring, counseling and job placement services.

Also, the bullet under #5 in the drafting instructions which requires an explanation of where participants went after leaving a trial job plus should specifically require that tracking of participant employment status include the number of participants who returned to a cash assistance placement.

Finally, the required reports by the department should also include an accounting of expenditures including, but not limited to, administration, intermediary contracts, performance bonuses, and wage subsidies.

#### Thanks!

----Original Message----

From:

Jensen, Jodi

Sent:

Thursday, February 19, 2004 4:31 PM

To:

Kahler, Pam; Sappenfield, Anne

Subject:

LRB 4001/1

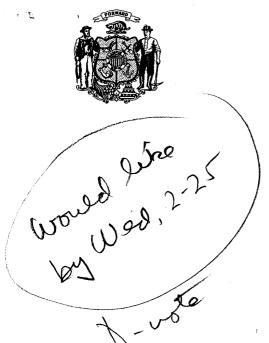
#### Pam and Anne,

Sorry it has taken us so long to get back to you with changes this draft - especially since you got the draft to us so quickly! Following are changes Rep. Huebsch would like to make. I realize we may have to talk about some of them, but I wanted to get them down on paper for you.

Thanks!

Jodi

<< File: Trial Jobs Instructions.doc >>



3

State of Misconsin **2003 - 2004 LEGISLATURE** 

PJK:jld:pg

2003 BILL

AN ACT to repeal 227.01 (13) (zL); and to create 49.1471 and 227.01 (13) (zL)

of the statutes; relating to: a least jobs demonstration project under the

Wisconsin Works program.

#### Analysis by the Legislative Reference Bureau

The Wisconsin Works (W-2) program under current law provides work experience and benefits for low-income custodial parents who are at least 18 years old, as well as job search assistance to noncustodial parents who are required to pay child support, to minor custodial parents, and to pregnant women who are not custodial parents. Also, an individual who is the parent of a child under the age of 13 or, if the child is disabled, under the age of 19, is eligible for a child care subsidy under the W-2 program if the individual needs child care services in order to participate in various educational or work activities. The W-2 program, which is funded with federal Temporary Assistance for Needy Families (TANF) block grant moneys, federal child care block grant moneys, and state general purpose revenue, is administered by the Department of Workforce Department (DWD), which in turn contracts with W-2 agencies to administer the program on the local level.

The work components under W-2, called employment positions, consist of three categories: 1) trial jobs, under which an individual receives at least minimum wage from an employer and the W-2 agency pays a wage subsidy of up to \$300 per month to the employer; 2) community service jobs, under which an individual works in a project that serves a useful public purpose or that will generate revenue to wholly or partially offset the project's cost and receives a monthly grant of up to \$673 from Luset 2-A)

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the W-2 agency; and 3) transitional placements, under which an individual participates in work activities in a community rehabilitation program, a job similar to a community service job, or volunteer activities and receives a monthly grant of up to \$628 from the W-2 agency. Employers for all employment positions must meet criteria established by DWD by rule, and all participants in all employment positions must search for unsubsidized employment the entire time that they are participating in any W-2 employment position. Also under current law, DWD is directed to continue the creation and implementation of a subsidized work program.

This bill requires DWD to conduct, from July 1, 2004, to December 31, 2005, a demonstration project for a transitional subsidized private sector jobs program in no more than three of the geographical areas of the state that DWD has established for administration of the W-2 program by each of the W-2 agencies. The bill provides the general program features that must be included in the project, such as who is eligible to participate in a transitional subsidized private sector job, the time limitations for participation in such a job, that a participant must perform useful work and be paid by the employer, that the employers must satisfy eligibility criteria specified by DWD, the employment costs for which the employers will be reimbursed, that education and training activities may be provided for under the project, and that a participant may be required to search for unsubsidized employment while he or she is participating in a transitional subsidized private sector job.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 49.1471 of the statutes is created to read:

49.1471 Transitional subsidized private sector jobs demonstration project. The department shall design and, from July 1, 2004, to December 31, 2005, conduct a demonstration project for a transitional subsidized private sector jobs program that includes the following features:

- (1) The project is limited to no more than 3 of the geographical areas established by the department under s. 49.143 (6).
- (2) An individual who is eligible for a transitional subsidized private sector job under the project is eligible under s. 49.145 for a Wisconsin Works employment position, and the department determines that a transitional subsidized private

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sector job is an app	opriate placement for the individual under criteria specified by
the department.	

- (3) A person that employs an individual participating in the project satisfies eligibility criteria specified by the department.
- (4) An individual employed in a transitional subsidized private sector job performs useful work in the transitional subsidized private sector job, is paid by his or her employer, and may be eligible for income tax credits and refunds.
- (5) The department reimburses the individual's employer for up to 100 percent of all of the following costs that are attributable to employment of the individual:
  - (a) Wages.
  - (b) Federal social security taxes.
  - (c) State and federal unemployment contributions or taxes, if any.
  - (d) Worker's compensation insurance premiums, if any.
  - (e) Liability insurance premiums, if any.
- (f) Supervisory costs and other overhead as specified in the employer's contract with the department.
- (6) Participation by an individual in a transitional subsidized private sector job is limited to 6 months with a possible extension of up to 3 months.
- (7) An individual employed in a transitional subsidized private sector job may be required to search for unsubsidized employment during his or her participation.
- (8) Education or training activities may be provided in which an individual employed in a transitional subsidized private sector job may participate.
- (9) The department may include any other features that the department determines will promote successful participation in unsubsidized employment by individuals employed in transitional subsidized private sector jobs.

Insat 3-25)

Jusent 4-5

Je Je

#### 2003-2004 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

#### INSERT 2-A

This bill eliminates the directive to DWD to continue the creation and implementation of a subsidized work program and requires DWD to conduct, from July 1, 2004, to December 31, 2005, a demonstration project for a trial jobs plus program. The demonstration project must be limited to no more than three of the geographical areas of the state that DWD has established for administration of the W-2 program by each of the W-2 agencies and to no more than 1,000 participants. Under the project, a W-2 agency pays a wage subsidy, as well as reimbursing up to 100 percent of federal social security taxes, state and federal unemployment contributions, and worker's compensation insurance premiums, to an employer that employs a project participant and that agrees to make a good faith effort to retain the participant as an unsubsidized employee after the wage subsidy ends. The wage subsidy may not exceed the federal minimum wage for no more than 30 hours of work per week, and any required education or training activities may not be counted toward the participant's work hours. An individual may participate in a trial job plus for up to six months, with a possible three-month extension. The W-2 agency must pay a participant a bonus if he or she is offered unsubsidized employment by his or her project employer, and DWD may pay W-2 agencies performance bonuses on the basis of the number of participants who are offered permanent, unsubsidized employment by their project employers.

The bill requires DWD to request funding for the project from the Joint Committee on Finance and, along with the request, to detail the proposed project budget, how the project will be implemented, and how the participants will be selected. In addition, on or about January 1, 2005, July 1, 2005, and March 1, 2006, DWD must submit reports to the legislature that describe the project participants, the average cost per participant, a follow-up on the employment status of each participant after he or she leaves the project, and an accounting of the expenditures under the project.

#### (END OF INSERT 2-A)

## INSERT 3-25 \ ( )

<b>SECTION 1.</b> 49.143 (3g) (c) of the statutes is created to read:
49.143 (3g) (c) The department may base a performance bonus on the number
45.145 (og) (c) The department may base a performance bonus on the number
of participants in the demonstration project under s. 49.147 (3) (d) who are offered
permanent, unsubsidized employment, as defined in s. 49.147 (1) (c), by their trial
permentents, and approximent, as defined in S. 49.147 (1) (c), by their trial
jobs plus employers.
<b>√</b>

**SECTION 2.** 49.147 (3) (d) of the statutes is created to read:

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1	49.147 (3) (d) Trial jobs plus demonstration project. The department shall
- o	design and, from July 1, 2004, to December 31, 2005, conduct a demonstration project
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3	for a trial jobs plus program that includes the following features:
4	1. The project is limited to no more than 3 of the geographical areas established
5	by the department under s. 49.143 (6) and to no more than 1,000 participants.

2. Except as otherwise provided in this paragraph, all provisions in 1934.

The statutes of a trial job program under this subsection apply to the demonstration project under this paragraph, including eligibility requirements.

- 3. An employer that employs a participant under this paragraph and receives a wage subsidy mast agree to make a good faith effort to retain the participant as a permanent unsubsidized employee with fewer barriers to employment, as defined by the Wisconsin Works agency, after the wage subsidy is terminated.
- 4. The Wisconsin Works agency may contract with an intermediary that acts as any of the following:
  - a. A placement agency.
- b. An employer.

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- c. A provider of supportive services, including coaching, mentoring, counseling, or job placement services.
- 5. Subject to subd. 3., the Wisconsin Works agency or intermediary under subd. 4. pays an employer that employs a participant under this paragraph a wage subsidy that does not exceed the federal minimum wage for no more than 30 hours of work per week. In addition, the Wisconsin Works agency or intermediary reimburses the employer for up to 100 percent of all of the following costs that are attributable to employment of the participant:
  - a. Federal social security taxes.

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- b. State and federal unemployment contributions or taxes, if any.
- c. Worker's compensation insurance premiums, if any.

- 6. Education or training activities prescribed by the employer under par. (am) are not considered work for purposes of calculating the wage subsidy.
  - 7. Participation by an individual in a trial job plus is limited to 6 months with a possible extension of up to 3 months.
  - 8. The Wisconsin Works agency provides a bonus to a participant who is offered unsubsidized employment by the participant's employer under the project under this paragraph.

SECTION 3. 49.148 (1m) (a) of the statutes is amended to read:

49.148 (1m) (a) A custodial parent of a child who is 12 weeks old or less and who meets the eligibility requirements under s. 49.145 (2) and (3) may receive a monthly grant of \$673 unless another adult member of the custodial parent's Wisconsin works Works group is participating in, or is eligible to participate in, a Wisconsin works Works employment position or is employed in unsubsidized employment, as defined in s. 49.147 (1) (c). A Wisconsin works Works agency may not require a participant under this subsection to participate in any employment positions. Receipt of a grant under this subsection does not constitute participation in a Wisconsin works Works employment position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c) or (d) 7., (4) (b), or (5) (b) 2. if the child is born to the participant not more than 10 months after the date that the participant was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin works Works employment position.

History: 1995 a. 289; 1997 a. 27; 1999 a. 9. 
SECTION 4. 49.148 (1m) (b) of the statutes is amended to read:



## ens 3-25 conta 488

49.148 (1m) (b) Receipt of a grant under this subsection constitutes participation in a Wisconsin works Works employment position for purposes of the time limits under ss. 49.145 (2) (n) and 49.147 (3) (c) or (d) 7., (4) (b), or (5) (b) 2. if the child is born to the participant more than 10 months after the date that the participant was first determined to be eligible for assistance under s. 49.19 or for a Wisconsin works Works employment position unless the child was conceived as a result of a sexual assault in violation of s. 940.225 (1), (2), or (3) in which the mother did not indicate a freely given agreement to have sexual intercourse or of incest in violation of s. 944.06 or 948.06 and that incest or sexual assault has been reported to a physician and to law enforcement authorities.

History: 1995 a. 289; 1997 a. 27; 1999 a. 9.

SECTION 5. 71.07 (2dx) (b) 2. of the statutes is amended to read:

71.07 (2dx) (b) 2. The amount determined by multiplying the amount determined under s. 560.785 (1) (b) by the number of full-time jobs created in a development zone and filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

History: 1987 a. 312; 1987 a. 411 ss. 63, 79 to 82, 85, 86; 1987 a. 419, 422, 1989 a. 31, 44, 56, 100, 359; 1991 a. 39, 269, 292; 1993 a. 16, 112, 204, 471, 491; 1995 a. 27 ss. 3377m to 3393m, 9116 (5); 1995 a. 209, 227, 400, 453; 1997 a. 27, 41, 237 1999 a. 5, 9, 10, 32; 1999 a. 150 s. 672; 1999 a. 198; 2001 a. 16, 109; 2003 a. 72, 99.

SECTION 6. 71.07 (2dx) (b) 3. of the statutes is amended to read:

71.07 (2dx) (b) 3. The amount determined by multiplying the amount determined under s. 560.785 (1) (c) by the number of full-time jobs created in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

History: 1987 a. 312; 1987 a. 411 ss. 63, 79 to 82, 85, 86; 1987 a. 419, 422; 1989 a. 31, 44, 56, 100, 359; 1991 a. 39, 269, 292; 1993 a. 16, 112, 204, 471, 491; 1995 a. 27 ss. 3377m to 3393m, 9116 (5); 1995 a. 209, 227, 400, 453; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9, 10, 32; 1999 a. 150 s. 672; 1999 a. 198; 2001 a. 16, 109; 2003 a. 72, 99.

SECTION 7. 71.07 (2dx) (b) 4. of the statutes is amended to read:



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71.07 (2dx) (b) 4. The amount determined by multiplying the amount determined under s. 560.785 (1) (bm) by the number of full-time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (2dj), in an enterprise development zone under s. 560.797 and for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

History: 1987 a. 312; 1987 a. 411 ss. 63, 79 to 82, 85, 86; 1987 a. 419, 422, 1989 a. 31, 44, 56, 100, 359; 1991 a. 39, 269, 292; 1993 a. 16, 112, 204, 471, 491; 1995 a. 27 ss. 3377m to 3393m, 9116 (5); 1995 a. 209, 227, 400, 453; 1997 a. 27, 41, 230, 299; 1999 a. 5, 9, 10, 32; 1999 a. 150 s. 672; 1999 a. 198; 2001 a. 16, 109; 2003 a. 72, 99.

SECTION 8. 71.07 (2dx) (b) 5. of the statutes is amended to read:

71.07 (2dx) (b) 5. The amount determined by multiplying the amount determined under s. 560.785 (1) (c) by the number of full-time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (2dj), in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

History: 1987 a. 312; 1987 a. 411 ss. 63, 79 to 82, 85, 86; 1987 a. 419, 422; 1989 a. 31, 44, 56, 100, 359; 1991 a. 39, 269, 292; 1993 a. 16, 112, 204, 471, 491; 1995 a. 27 ss. 3377m to 3393m, 9116 (5); 1995 a. 209, 227, 400, 453; 1997 a. 27, 41, 237 (99); 1999 a. 5, 9, 10, 32; 1999 a. 150 s. 672; 1999 a. 198; 2001 a. 16, 109; 2003 a. 72, 99.

SECTION 9. 71.28 (1dx) (b) 2. of the statutes is amended to read: 15

The amount determined by multiplying the amount 71.28 (1dx) (b) 2. determined under s. 560.785 (1) (b) by the number of full-time jobs created in a development zone and filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

History: 1987 a. 312; 1987 a. 411 ss. 88, 130 to 139; 1987 a. 422; 1989 a. 31, 44376, 100, 336, 359; 1991 a. 39, 292; 1993 a. 16, 112, 232, 491; 1995 a. 2; 1995 a. 27 ss. 3399r to 3404c, 9116 (5); 1995 a. 209, 227; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 200 a. 16; 2003 a. 72, 99. 21

**Section 10.** 71.28 (1dx) (b) 3. of the statutes is amended to read:

The amount determined by multiplying the amount 71.28 (1dx) (b) 3. determined under s. 560.785 (1) (c) by the number of full-time jobs created in a



# lus 3-25 contes 698

development zone and not filled by a member of a targeted group and by then

subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and

reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

**History:** 1987 a. 312; 1987 a. 411 ss. 88, 130 to 139; 1987 a. 422; 1989 a. 31, 44,66, 100, 336, 359; 1991 a. 39, 292; 1993 a. 16, 112, 232, 491; 1995 a. 2; 1995 a. 27 ss. 3399r to 3404c, 9116 (5); 1995 a. 209, 227; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2007 a. 16; 2003 a. 72, 99.

**SECTION 11.** 71.28 (1dx) (b) 4. of the statutes is amended to read:

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71.28 (1dx) (b) 4. The amount determined by multiplying the amount determined under s. 560.785 (1) (bm) by the number of full-time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (1dj), in an enterprise development zone under s. 560.797 and for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

History: 1987 a. 312; 1987 a. 411 ss. 88, 130 to 139; 1987 a. 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292; 1993 a. 16, 112, 232, 491; 1995 a. 2; 1995 a. 27 ss. 3399r to 3404c, 9116 (5); 1995 a. 209, 227; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a 16; 2003 a. 72, 99.

**SECTION 12.** 71.28 (1dx) (b) 5. of the statutes is amended to read:

71.28 (1dx) (b) 5. The amount determined by multiplying the amount determined under s. 560.785 (1) (c) by the number of full-time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (1dj), in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

History: 1987 a. 312; 1987 a. 411 ss. 88, 130 to 139; 1987 a. 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 292; 1993 a. 16, 112, 232, 491; 1995 a. 2; 1995 a. 27 ss. 3399r to 3404c, 9116 (5); 1995 a. 209, 227; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99.

**Section 13.** 71.47 (1dx) (b) 2. of the statutes is amended to read:

71.47 (1dx) (b) 2. The amount determined by multiplying the amount determined under s. 560.785 (1) (b) by the number of full-time jobs created in a development zone and filled by a member of a targeted group and by then subtracting



# -7-In 3-25 contra 788

the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid 1 <u>under s. 49.147 (3) (d) 5.</u> for those jobs. 2

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 392, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99.

SECTION 14. 71.47 (1dx) (b) 3. of the statutes is amended to read:

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71.47 (1dx) (b) 3. The amount determined by multiplying the amount determined under s. 560.785 (1) (c) by the number of full-time jobs created in a development zone and not filled by a member of a targeted group and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 22, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99.

SECTION 15. 71.47 (1dx) (b) 4. of the statutes is amended to read:

71.47 (1dx) (b) 4. The amount determined by multiplying the amount determined under s. 560.785 (1) (bm) by the number of full-time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (1dj), in an enterprise development zone under s. 560.797 and for which significant capital investment was made and by then subtracting the subsidies paid under s. 49.147 (3) (a) or the subsidies and reimbursements paid <u>under s. 49.147 (3) (d) 5.</u> for those jobs.

History: 1987 a. 312, 411, 422; 1989 a. 31, 44, 56, 100, 336, 359; 1991 a. 39, 202, 315; 1993 a. 16, 112; 1995 a. 27 ss. 3407m to 3412m, 9116 (5); 1995 a. 209, 227, 417; 1997 a. 27, 41, 237, 299; 1999 a. 5, 9; 2001 a. 16; 2003 a. 72, 99.

SECTION 16. 71.47 (1dx) (b) 5. of the statutes is amended to read:

The amount determined by multiplying the amount 71.47 (**1dx**) (b) 5. determined under s. 560.785 (1) (c) by the number of full-time jobs retained, as provided in the rules under s. 560.785, excluding jobs for which a credit has been claimed under sub. (1dj), in a development zone and not filled by a member of a



## In 3-25 contra 80/8

- targeted group and by then subtracting the subsidies paid under s. 49.147(3)(a) or
- 2 the subsidies and reimbursements paid under s. 49.147 (3) (d) 5. for those jobs.

 $\textbf{History: } 1987 \text{ a. } 312, 411, 422; 1989 \text{ a. } 31, 44, 56, 100, 336, 359; 1991 \text{ a. } 39, 292, 315; 1993 \text{ a. } 16, 112; 1995 \text{ a. } 27 \text{ ss. } 3407 \text{m to } 3412 \text{m}, 9116 \text{ (5); } 1995 \text{ a. } 209, 227, 417; 1997 \text{ a. } 27, 41, 237, 299; 1999 \text{ a. } 5, 9; 2001 \text{ a. } 16; 2003 \text{ a. } 72, 99. \end{aligned}$ 

mponent correct?

Maction: act; RP INSERT 4-5 102

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SECTION 17. 2003 Wisconsin Act 33, section 9159 (4f) is repealed.

#### SECTION 18. Nonstatutory provisions.

- (1) Reports on trial jobs plus demonstration project. On or about January 1, 2005, July 1, 2005, and March 1, 2006, the department of workforce development shall submit a report to the legislature in the manner provided under section 13.172 (2) of the statutes that details the following information about the demonstration project under section 49.147 (3) (d) of the statutes, as created by this act:
- (a) A profile of the participants, including identifiable barriers to their employment.
- (b) The success of the Wisconsin Works agencies involved in the project in meeting the performance standards established under section 49.143 (3) of the statutes.
- (c) The success of the Wisconsin Works agencies involved in the project in meeting any performance bonus standard under section 49.143 (3g) (c) of the statutes, as created by this act.
  - (d) The average cost per participant placement in a subsidized job.
- (e) A follow-up on the employment status of each individual after the conclusion of his or her participation in the project, including whether the individual is employed in unsubsidized employment or participating in another job or placement under the Wisconsin Works program.



# 2004-5 contd 202

- (f) An accounting of expenditures under the project, including administration expenses, intermediary contract costs under section 49.147 (3) (d) 4. of the statutes, as created by this act, reimbursements and wage subsidies under section 49.147 (3) (d) 5. of the statutes, as created by this act, Wisconsin Works agency performance bonuses under section 49.143 (3g) (c) of the statutes, as created by this act, participant bonuses under section 49.147 (3) (d) 8. of the statutes, as created by this act, and any other project-related expenses.
- (2) Request for release of funds. Within 30 days after the effective date of this subsection, the department of workforce development shall request the joint committee on finance to take action under section 13.10 of the statutes to release moneys from the appropriation account under section 20.865 (4) (m) of the statutes to fund the demonstration project under section 49.147 (3) (d) of the statutes, as created by this act. In addition to providing an accounting of the proposed budget, the request shall detail the goals of the demonstration project and the department's strategy for implementation and shall provide an explanation of how the Wisconsin Works agencies will select the project's participants.

#### SECTION 19. Initial applicability.

(1) DEVELOPMENT ZONES TAX CREDITS. The treatment of sections 71.07 (2dx) (b) 2., 3., 4., and 5., 71.28 (1dx) (b) 2., 3., 4., and 5., and 71.47 (1dx) (b) 2., 3., 4., and 5. of the statutes first applies to taxable years beginning on January 1, 2004.

(END OF INSERT 4-5)

#### 2003–2004 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-4001/2ins PJK:jld:pg

INSERT 3-25A (into Insert 3-25)

1	SECTION 1. 49.155 (1m) (a) 3. of the statutes is amended to read:
2	49.155 (1m) (a) 3. Work in a Wisconsin works Works employment position,
3	including participation in job search, orientation, and training activities under s.
4	49.147 (2) (a) and in education or training activities under s. 49.147 (3) (am) $or$ (d),
5	(4) (am), or (5) (bm).

History: 1995 a. 289; 1997 a. 27, s. 1766 to 1775, 1838 to 1857; 1997 a. 41, 105, 237, 252; 1999 a. 9; 2001 a. 16; 2003 a. 33. (END OF INSERT 3-25A)

#### DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-4001/2dn

Note how I have treated ss. 71.07 (46) (b) 2., 3., 4., and 5., 71.28 (1dx) (b) 2., 3., 4., and 5., and 71.47 (1dx) (b) 2., 3., 4., and 5. Is this what you want, or would you prefer that only the subsidies paid to employers (or nothing) be deducted?

Zdx

Pamela J. Kahler Senior Legislative Attorney

Phone: (608) 266-2682

E-mail: pam.kahler@legis.state.wi.us

# DRAFTER'S NOTE FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-4001/2dn PJK:jld:jf

February 24, 2004

Note how I have treated ss. 71.07 (2dx) (b) 2., 3., 4., and 5., 71.28 (1dx) (b) 2., 3., 4., and 5., and 71.47 (1dx) (b) 2., 3., 4., and 5. Is this what you want, or would you prefer that only the subsidies paid to employers (or nothing) be deducted?

Pamela J. Kahler Senior Legislative Attorney Phone: (608) 266–2682

E-mail: pam.kahler@legis.state.wi.us

#### Barman, Mike

From:

Barman, Mike

Sent:

Wednesday, February 25, 2004 4:31 PM

To:

Rep.Huebsch

Subject:

LRB 03-4001/2 (attached - requested by Jody)





03-4001/2

03-4001/2dn

Mike Barman

Mike Barman - Senior Program Asst. (PH. 608-266-3561) (E-Mail: mike.barman@legis.state.wi.us) (FAX: 608-264-6948)

State of Wisconsin Legislative Reference Bureau - Legal Section - Front Office 1 East Main, Suite 200 Madison, WI 53703

#### Kahler, Pam

From:

Jensen, Jodi

Sent:

Thursday, February 26, 2004 9:04 AM

To: Subject:

Kahler, Pam LRB 4001/2

Hi Pam-

In response to your drafting note, the way you treated ss. 71.07 (2dx) (b) 2., 3., 4., and 5., 71.28 (1dx) (b) 2., 3., 4., and 5., and 71.47 (1dx) (b) 2., 3., 4., and 5 is fine.

I have just one change to request: Page 10, lines 23-24 after "of" on line 23, revise the sentence to say "the selection criteria Wisconsin Works agencies will use to identify the project's participants." or something similar. For Rep. Huebsch, the important part is making sure we know what the "criteria" are.

Thanks!